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HOUSE BILL No. 5 ]

Sess. 1862-'63.

Introduced by Mr. Love, of Haywood.

W. W. Holden, Printer to the State.

A BILL TO PREVENT DURING THE EXISTING WAR, MONOPOLIES, EXTORTIONS AND SPECULATION IN BREADSTUTES AND OTHER ARTICLES OF GENERAL USE AND CONSUMPTION, AND TO MAKE SUCH ACTS CRIMINAL, AND TO PROVIDE PENALTIES FOR THE SAME.

SECTION 1.—*Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That any person purchasing any articles of clothing, shoes, leather, cloth of any kind, provisions, wheat, flour, corn, meal, meat, bacon, hogs, cattle, salt, or any or either of the aforesaid articles, or any other article or thing, by falsely representing that the purchase is for the use of the army, the State or Confederate States, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined in a sum not less than five hundred dollars, and imprisoned not less than six months.

SEC. 2. *Be it further enacted,* That all and every person or persons who shall monopolize any of the articles above mentioned with intent to produce a scarcity of such article or articles in the market, or of raising the price or prices of such articles, or either of them, or if any person or persons shall purchase, procure or receive any of the articles specified in the preceding section, and hold the same for the purpose of engrossing the market and raising the price of such article or articles, such person or persons so offending, shall be guilty of a misdemeanor, and upon

1 conviction thereof, shall be fined in a sum not less than five  
2 hundred dollars nor exceeding five thousand dollars.

SEC. 3. *Be it further enacted*, That any person or per-  
2 sons who shall exact, demand or receive exorbitant, un-  
3 just or unreasonable prices for any of the articles enumer-  
4 ated in the foregoing sections of this Act, shall be guilty  
5 of extortion, and upon conviction thereof, shall be punish-  
6 ed by fine or imprisonment, or both, in the discretion of  
7 the court: the fine not to exceed one thousand dollars,  
8 and the imprisonment not to exceed six months.

SEC. 4. *Be it further enacted*, That in all trials for a vi-  
2 olation of the third section of this Act, the jury may take  
3 into consideration the cost of producing the article, with  
4 expenses of transportation to market, if the defendant be  
5 a manufacturer or producer thereof, and the original  
6 price paid therefor, with cost of transportation, if the de-  
7 fendant be a merchant or trader.

SEC. 5. *Be it further enacted*, That if any or either of  
2 the offences specified and described in the foregoing sec-  
3 tions shall be committed by a corporation through its  
4 agents, the President and Directors of such corporation,  
5 as also the agent so offering the article for sale, shall be  
6 liable to be severally indicted for such offence: and upon  
7 conviction, shall be punished as is herein before prescrib-  
8 ed.

SEC. 6. *Be it further enacted*, That any of the above  
2 articles may be purchased without the limits of this State,  
3 and imported into this State for sale, and at a price not  
4 exceeding the current prices in the neighborhood where  
5 the same may be offered for sale.

SEC. 7. *Be it further enacted*, That it shall be the duty  
2 of the Judges of the Superior courts of this State, at the  
3 opening of each session of their respective courts, to give  
4 the provisions of this Act in special charge to the Grand  
5 Jury.

SEC. 8. *Be it further enacted*, That in all indictments

2 under this Act, it shall only be necessary to state the of-  
3 fence generally and substantially, in the words of this  
4 Act.

SEC. 9. *Be it further enacted*, That this Act shall take  
effect and go into operation from and after its ratification.

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